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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 7 September 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to you in follow-up to previous letters regarding the human rights violations and war crimes being perpetrated by Israel, the occupying Power, in Occupied Palestine, including East Jerusalem.

In particular, I am compelled at this time to draw urgent attention to the imminent threat of forcible transfer facing the Palestinian Bedouin community of Khan al-Ahmar Abu al-Helu, in the sensitive so-called "E-1" area of the West Bank, north-east of occupied East Jerusalem, as the occupying Power persists with its illegal policies and measures of aggression against this extremely vulnerable community and against our land.

On 5 September, the Israeli "Supreme Court" rejected an appeal against the demolition of Khan al-Ahmar and ruled in favour of forcibly expelling its 181 inhabitants. By such an unjust and unlawful ruling, the Court has determined that it is permissible for the occupying Power to destroy the entire village, including all Palestinian civilian and livelihood structures, within the next seven days. According to Israeli plans, the community, which has faced the repeated trauma of displacement and dispossession, will likely be forcibly relocated to an area adjacent to a garbage dump in the area of Abu Dis in the West Bank, an area that is bereft of the agricultural land on which these pastoral families have subsisted all their lives.

We condemn in the strongest terms the endorsement by the occupying Power's illegitimate court system of yet another State-sponsored international crime. As stressed by Amnesty International in reaction to the so-called ruling: "Forcible transfer of people under occupation is a serious breach of the IV Geneva Convention. The deportation or transfer of all or parts of the population of the occupied territory within or outside this territory constitutes a war crime under Article 8 of the Rome Statute."

Furthermore, in that regard, in a statement entitled "The Israeli Supreme Court in the Service of the Occupation", the Israeli human rights non-governmental

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organization B'Tselem has stated that: "This ruling shows once again that those under occupation cannot seek justice in the occupier's courts. If the demolition of the community of Khan al-Ahmar goes ahead, the Supreme Court Justices will be among those who will bear responsibility for this war crime."

It is telling that senior Israeli officials, persisting in their inflammatory rhetoric and incitement against the Palestinian people and their land, welcomed and praised this decision, with, inter alia, the Israeli Agriculture Minister, Uri Ariel, declaring that this decision should set a precedent and should be applied to other areas in the future. Celebration of such a decision by Israeli officials regrettably comes as no surprise, as Israeli plans to forcibly transfer and ethnically cleanse the Bedouin population of the Khan al-Ahmar area have been pursued and advanced systematically for years, including through the repeated demolition of the community's homes, schools and farming structures by the Israeli occupying forces. In that regard, it must also be noted that 53 per cent of that population are children and 95 per cent are Palestine refugees registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

As we have warned repeatedly in the past, the ultimate aim of Israel in causing the forcible transfer of the Khan al-Ahmar community, among other Bedouin communities, is to erase and eradicate any Palestinian presence and continuity on the land and facilitate the expansion of Israeli settlements, including the so-called "E-1" settlement plan, which aims at creating a continuous built-up area between the illegal "Ma'ale Adumim" settlement and occupied East Jerusalem, in grave breach of international law and countless United Nations resolutions, including Security Council resolution 2334 (2016). Such unlawful and destructive measures threaten to sever the West Bank in half, putting the final nail in the coffin of the international community's two-State solution based on the pre-1967 lines, and are yet further proof of the Israeli government's total rejection of the two-State solution and of all efforts towards a comprehensive, just and lasting peace.

Regrettably, our appeals to the international community to address this critical matter have never been met with concrete international action aimed at deterring the occupying Power from perpetrating these crimes. This lack of action has emboldened the occupying Power to persist with its illegal colonization of Palestinian land, including the destruction, theft and confiscation of Palestinian lands and properties, the construction and expansion of both settlements and the Wall, and the forcible transfer of Palestinian communities, in full view of the international community, with no fear of consequence or accountability.

We continue to call upon the international community to hold the occupying Power accountable for its grave violations of international law, to prevent the forced dispossession and displacement of our vulnerable and defenceless civilians, including our Bedouin communities, and to ensure the protection of the Palestinian people, who continue to face constant repression and the worsening of humanitarian conditions at the hands of this illegal occupation. It is imperative that a clear stand, including by the Security Council, be taken against these and all such illegal measures and that Israel be held to account for its continued contempt of the law and the international community.

The present letter is in follow-up to our 644 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 August 2018 (A/ES-10/793-S/2018/766), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being

committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations